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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Tohono O'odham Nation, et al.,

10 Plaintiffs,

11 v.

12 United States Department of Interior, et al.,

13 Defendants.
14

No. CV-24-00034-TUC-JGZ

ORDER

15 Pending before the Court is Federal Defendants' Second Motion for a Stay of the
16 Case in Light of Lapse of Appropriations or Alternatively First Request for Extension of
17 Time. (Doc. 89.) On November 13, 2025, Federal Defendants notified the Court that
18 Congress has appropriated funding and agency employees have returned to work.
19 Therefore, the request for a stay is now moot. (Doc. 91 at 2.) However, Plaintiffs oppose
20 Federal Defendants' request for an extension. (*See* Doc. 90.)

21 Prior to the Court's Order staying the case on October 2, 2025 (Doc. 88), the
22 deadline to produce the administrative record was October 17, 2025. (Doc. 83.) The stay
23 was lifted on November 3, 2025, after 30 days. (*See* Doc. 88.) Thus, the new deadline to
24 produce the administrative record is November 17, 2025. Federal Defendants request an
25 extension of that deadline through December 22, 2025. (Doc. 89 at 3.) Plaintiffs request
26 the Court order Federal Defendants to produce the administrative record within two weeks
27 of this Order. (Doc. 90 at 6.)

28 Federal Defendants have not shown that a 33-day extension is warranted. Federal

Defendants had two weeks remaining on the deadline to produce the administrative record when the case was stayed, and certain furloughed BLM employees began working on the administrative record on November 10. (Doc. 91 at 2–3.) In light of the upcoming holiday, the Court will grant an extension through December 5, 2025.

At this time, the Court will not order the parties to meet and confer to propose new dates for the remaining schedule. As indicated in the Court’s Order granting the initial stay, all deadlines then in effect have been extended in accordance with the length of the stay. (Doc. 88.) Considering the additional extension of the deadline to produce the administrative record, the remaining deadlines are proportionally extended as outlined below.

Accordingly,

IT IS ORDERED:

1. As of November 3, 2025, the stay issued in this Court’s October 2, 2025 Order (Doc. 88) is **lifted**.

2. Federal Defendants’ Second Motion for a Stay of the Case in Light of Lapse of Appropriations or Alternatively First Request for Extension of Time (Doc. 89), is **granted in part and denied in part**. The request for a stay is **denied as moot**. The request for an extension is **granted in part**.

3. Federal Defendants shall have up to and including **December 5, 2025** to produce the administrative record.

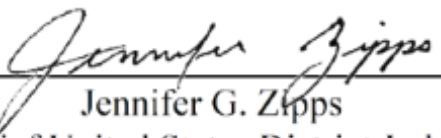
4. The following deadlines shall govern in this action:

Federal Defendants provide the Administrative Record to the Parties	December 5, 2025
Parties identify and communicate to Federal Defendants any issues regarding completeness of the record and/or any issues regarding the admission of extra-record evidence	January 5, 2026

1	Federal Defendants respond to any issues	January 12, 2026
2	raised by parties regarding the contents of	
3	the administrative record and the	
4	admission of extra-record evidence. The	
5	parties will attempt in good faith to	
6	resolve any issues that are raised	
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9	If necessary, Plaintiffs or Intervenor-	January 26, 2026
10	Defendant will file a motion challenging	
11	the contents of the administrative record	
12	and/or seeking to admit extra-record	
13	evidence	
14		
15	Federal Defendants will file their response	February 6, 2026
16	to Plaintiffs' or Intervenor-Defendant's	
17	motion challenging the administrative	
18	record and/or seeking to admit extra-	
19	record evidence	
20		
21	If a Party challenges the contents of	Three weeks after resolution of any
22	the administrative record or seeks to	record or extra-record evidence motion
23	admit extra-record evidence, the rest of	
24	the schedule is vacated and the Parties	
25	will submit a joint status report to the	
26	Court with a new proposed summary	
27	judgment briefing schedule	
28		
	If no challenge to the administrative	March 6, 2026
	record is filed, Plaintiffs file opening	
	motion for summary judgment.	
	Federal Defendants and Intervenor-	April 17, 2026
	Defendant will each file a combined	
	brief in opposition to Plaintiffs' motion	
	for summary judgment and in support	
	of their cross-motions for summary	
	judgment	
	Plaintiffs will file their combined	May 29, 2026
	briefs in support of their motion for	
	summary judgment and in opposition	
	to Federal Defendants' and Intervenor-	
	Defendant's motions for summary	

1 judgment	
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4 Federal Defendants and Intervenor- 5 Defendant will file their reply briefs in 6 support of their cross-motions for summary judgment	June 26, 2026

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8 Dated this 17th day of November, 2025.

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12 Jennifer G. Zipp
13 Chief United States District Judge
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